

Draft

PERMIT

Permit No: 200700973-TS

City: New Haven

Work Area: Quinnipiac River off property located at Dover Beach Park

Permittee: City of New Haven
720 Edgewood Avenue
New Haven, CT 06515

Pursuant to sections 22a-359 through 22a-363f and sections 22a-28 through 22a-35 of the Connecticut General Statutes ("CGS") and in accordance with CGS section 22a-98, and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to repair and rebuild an existing stone and masonry seawall to provide for flood and erosion control purposes as is more specifically described below in the SCOPE OF AUTHORIZATION, in Quinnipiac River off property identified as the "work area" above.

*******NOTICE TO PERMITTEES AND CONTRACTORS*******

FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING PENALTIES AND INJUNCTIONS, AS PROVIDED BY LAW.

SCOPE OF AUTHORIZATION

The Permittee is hereby authorized to conduct the following work as described in application #200700973-TS, including 14 sheets of plans dated December 2008, submitted by the Permittee to the Commissioner and attached hereto as follows:

1. retain an existing 12" reinforced concrete outfall pipe which terminates through the section of seawall identified as "Wall B: Sta. B6+25," as shown on Figure 9;
2. remove miscellaneous stone and road debris located waterward of the existing seawall;
3. cut-off existing pilings and a sheet piling bulkhead to 1" below grade located waterward of the section of seawall identified as "Wall A2: Sta. A14+90 to Sta. A15+80;"
4. rebuild in-place, approximately four sections of seawall labeled as "Wall A1 & A2" and identified as "Sta. A11+00 to A11+15, A11+15 to A12+05, A15+25 to A15+75, and A16+35 to A16+65," consisting of concrete blocks, bricks, and masonry, by installing temporary sheetpiling; excavating and grading landward of the existing seawall; temporarily stockpiling

the excavated sediment on the upland; removing existing sections of deteriorated wall; digging a new footing approximately 2' deep if needed, installing timber support piles beneath the new footing if required; using existing and new stone to rebuild the seawall; backfilling the area landward of the seawall with previously excavated sediment and grade to its pre-construction elevation; remove temporary sheetpiling; install a new 6" concrete cap atop the seawall; and replace an existing fence atop the seawall;

5. repair, in-kind and in-place, four sections of seawall labeled as "Wall B" and identified as "Sta. B+00 to Sta. B+10, Sta. B1+80 to Sta. B2+00, Sta. B2+55 to Sta. B2+90 and Sta. B5+70 to Sta. B7+40," by using existing and new stone to fill voids, repoint and chisel to remove loose concrete, and repair cracks using mortar; and
6. rebuild, in-kind and in-place, the section of seawall labeled 'Wall B' and identified as "Sta. B0+60 to Sta. B1+15," by excavating landward, temporarily stockpiling the excavated sediment on the upland; removing existing sections of deteriorated wall; digging a new footing approximately 2' deep if needed, using existing and new stone to rebuild the seawall, backfill the area landward of the seawall with previously excavated sediment and grade to its pre-construction elevation; and plant the area immediately waterward of the reconstructed seawall with native plant species in accordance with the planting plan identified in SPECIAL TERMS AND CONDITIONS, paragraphs 7. and 8., below.

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.

SPECIAL TERMS AND CONDITIONS

1. The Permittee shall not conduct any work authorized herein between June 1st and September 30th, inclusive, of any year in order to protect spawning shellfish.
2. The Permittee shall complete all the necessary repairs to the existing seawall in approximately 50 linear foot sections during a single low water cycle.
3. Prior to the commencement of work authorized herein, sedimentation and erosion controls shall be designed and installed in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as revised, established pursuant to CGS Section 22a-328. The Certificate Holder shall maintain or modify, as needed, the sediment and erosion controls to ensure optimal operating condition until the authorized work has been completed and the site has stabilized.
4. Prior to the commencement of work authorized herein, the Permittee shall place protective tarps below the existing stone and masonry seawalls and atop the tidal wetlands to prevent debris from entering the tidal wetlands. At the end of each work day, any debris must be collected and disposed of on the upland and the tarp must be removed.

5. At no time shall heavy equipment be staged waterward of the high tide line or be allowed to enter tidal wetlands. All work using heavy equipment shall be conducted from the park or street area landward of the existing seawall.
6. All materials removed pursuant to paragraphs 2. and 3. in the SCOPE OF AUTHORIZATION, above, shall be disposed of on the upland.
7. The Permittee shall restore the area located immediately waterward of the existing deteriorated seawall identified as "Wall B: Sta. B0+60 to Sta. B1+15," by removing any stone debris and any soil eroded from the upland. The Permittee shall regrade this area where necessary to its original grade and plant *Spartina alterniflora* plugs. Each plant shall be spaced at least 18 inches on center.
8. For a period of two years following completion of the work authorized herein, the Permittee shall submit an annual report documenting the survival rate of the tidal wetland plantings authorized herein. If there is a net loss of tidal wetland plants in any given year greater than 10%, the Permittee shall replace such vegetation.
9. The finished elevation of the rebuilt seawall labeled "Wall A1 & Wall A" shall not exceed 9.8' NGVD 1929.
10. The finished elevation of the rebuilt seawall labeled "Wall B" shall not exceed 7.0' NGVD 1929.
11. All waste material generated by the performance of the work authorized herein shall be disposed of by the Permittee at an upland site approved for the disposal of such waste material.
12. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
13. In undertaking the work authorized hereunder, the Permittee shall not cause or allow pollution of wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this permit, "pollution" means "pollution" as that term is defined by CGS section 22a-423.
14. Except as specifically authorized by this permit, no equipment or material including, but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any tidal wetland or watercourse on or off-site, or within any delineated setback area, nor shall any tidal wetland or watercourse or delineated setback area be used as a staging area or accessway other than as provided herein.
15. Not later than two weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, the

name(s) and address(es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.

16. On or before (a) 90 days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any authorized one year extension thereof, whichever is earlier, the Permittee shall submit to the Commissioner "as-built" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all contours, bathymetries, tidal datums and structures.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this permit shall be completed within five years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
 - a. The Permittee may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least 30 days prior to said work completion date. Such request shall describe the work done to date, work which still needs to be completed and the reason for such extension. The Commissioner shall grant or deny such request in her sole discretion.
 - b. Any work authorized herein conducted after said work completion date or any authorized one year extension thereof is a violation of this permit and may subject the Permittee to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make *de minimis* changes from said plans without prior written approval of the Commissioner.
3. The Permittee shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, CGS sections 22a-28 through 22a-35 and CGS sections 22a-359 through 22a-363f.
4. Prior to the commencement of any work authorized hereunder, the Permittee shall cause a copy of this permit to be given to any contractor(s) employed to conduct such work. At the work area the Permittee shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.
5. The Permittee shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three days prior to the commencement of such work and no later than seven days after the completion of such work.

6. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034
Fax # (860) 424-4054

7. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
8. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
9. This permit may be revoked, suspended, or modified in accordance with applicable law.
10. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as a transfer is authorized by the Commissioner.
11. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
12. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the

Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.

13. In the event that the Permittee becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.
14. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
15. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.
16. The issuance of this permit does not relieve the Permittee of his obligations to obtain any other approvals required by applicable federal, state and local law.
17. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
18. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

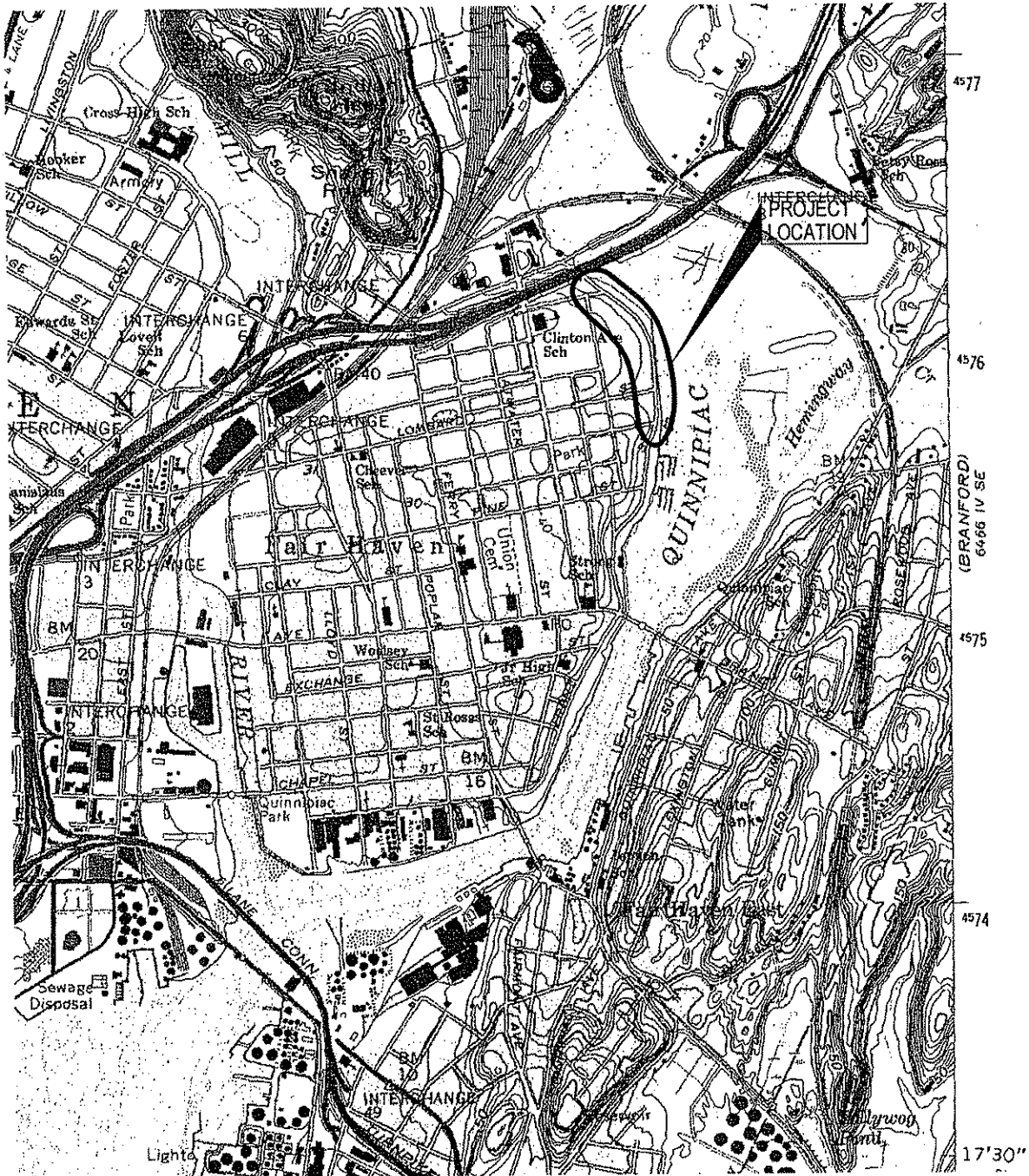
Issued on _____, 2009

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Amey W. Marrella
Acting Commissioner

Permit Application No. 200700973-TS
City of New Haven

TS



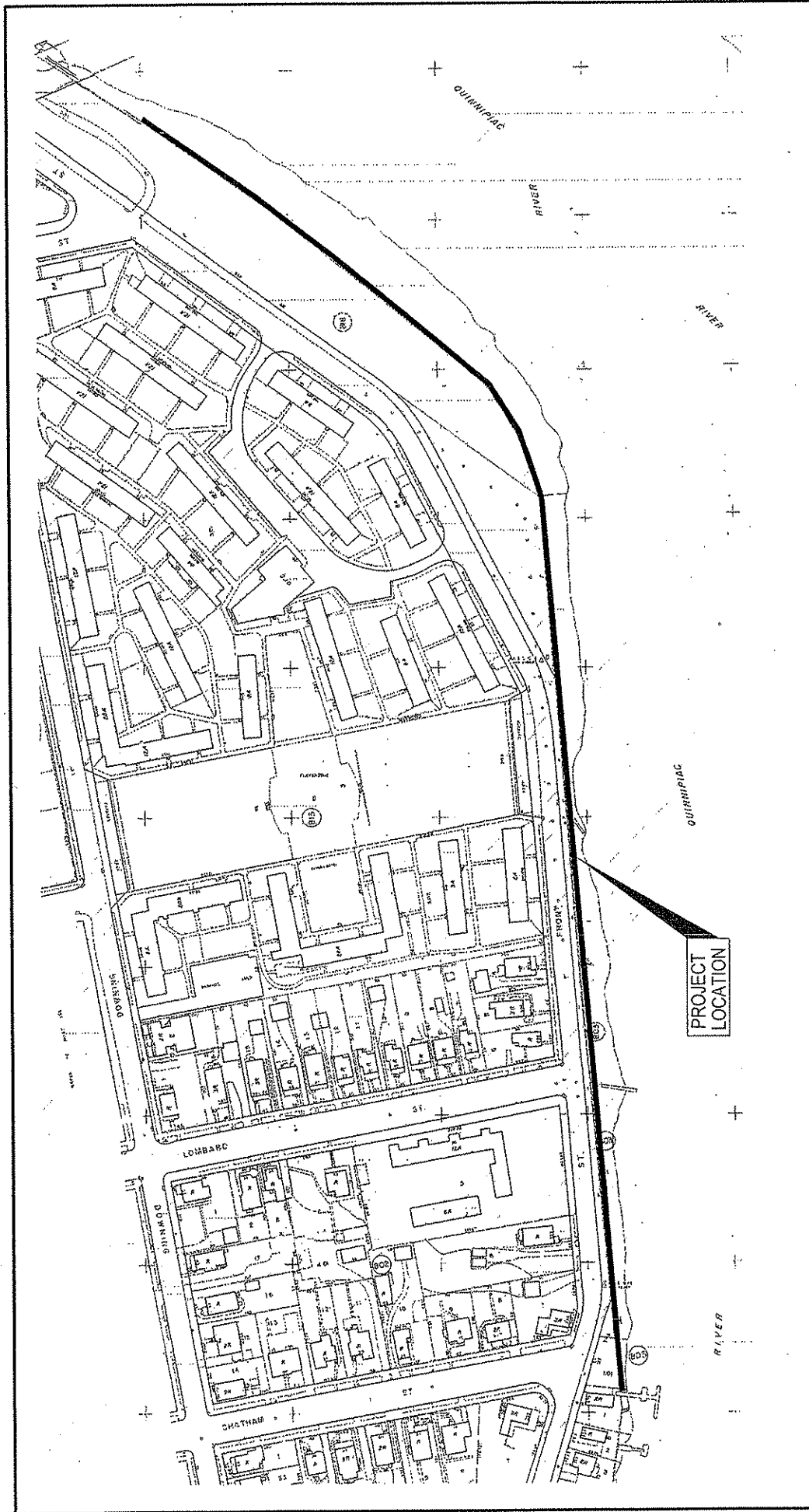
VICINITY MAP

DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: SEPTEMBER 2006

FIGURE 1



NOTES

1. SOURCE: CITY OF NEW HAVEN, CONNECTICUT TAX ASSESSMENT MAPS 157 & 159
2. WATER ELEVATIONS AS FOLLOWS:

HTL EL. +5.5
 MHW EL. +3.8
 MLW EL. -2.5

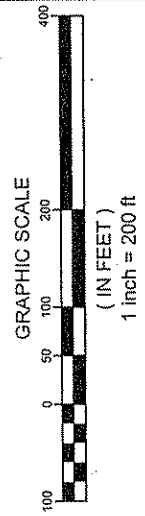
TAX ASSESSOR MAP

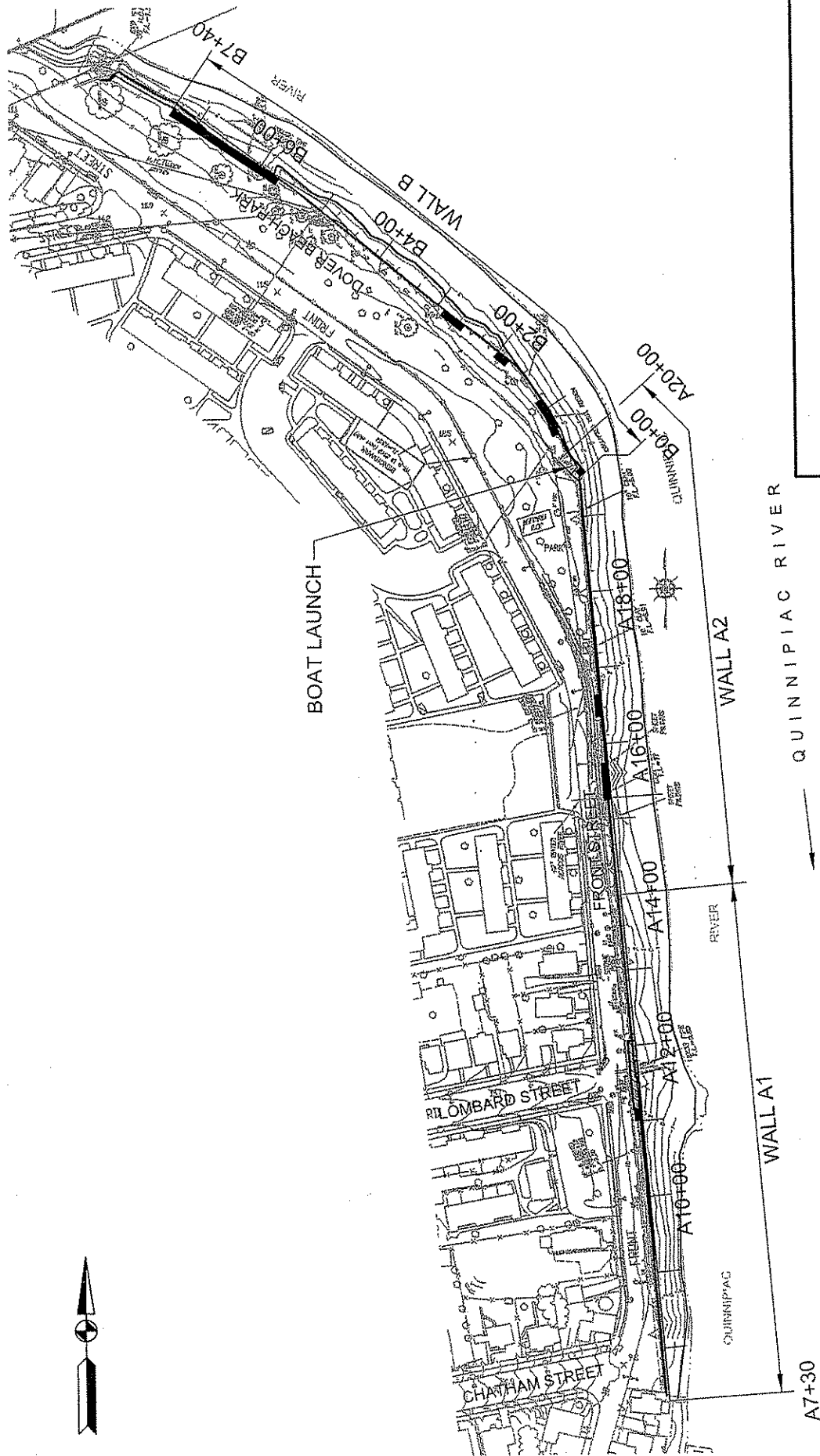
DOVER BEACH PARK SEAWALL
 NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
 DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 2





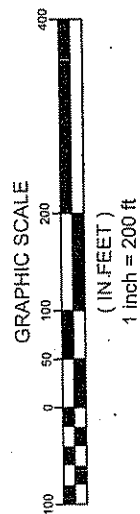
KEY PLAN

DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

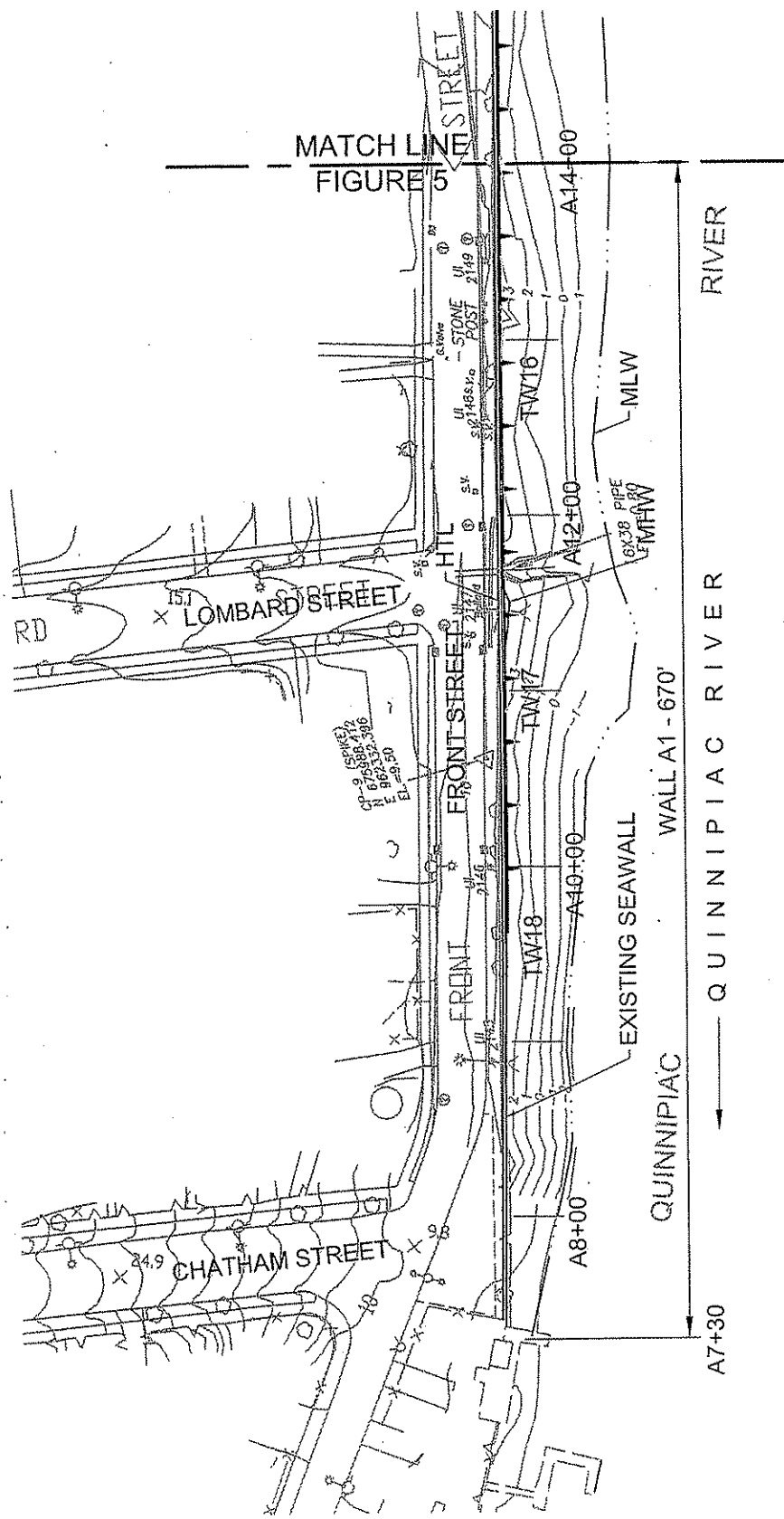
APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 3



WATER ELEVATIONS AS FOLLOWS:
HTL EL. +5.5
MHW EL. +3.8
MLW EL. -2.5



NOTES

1. ALL ELEVATIONS ON 1929 NGVD.

LEGEND

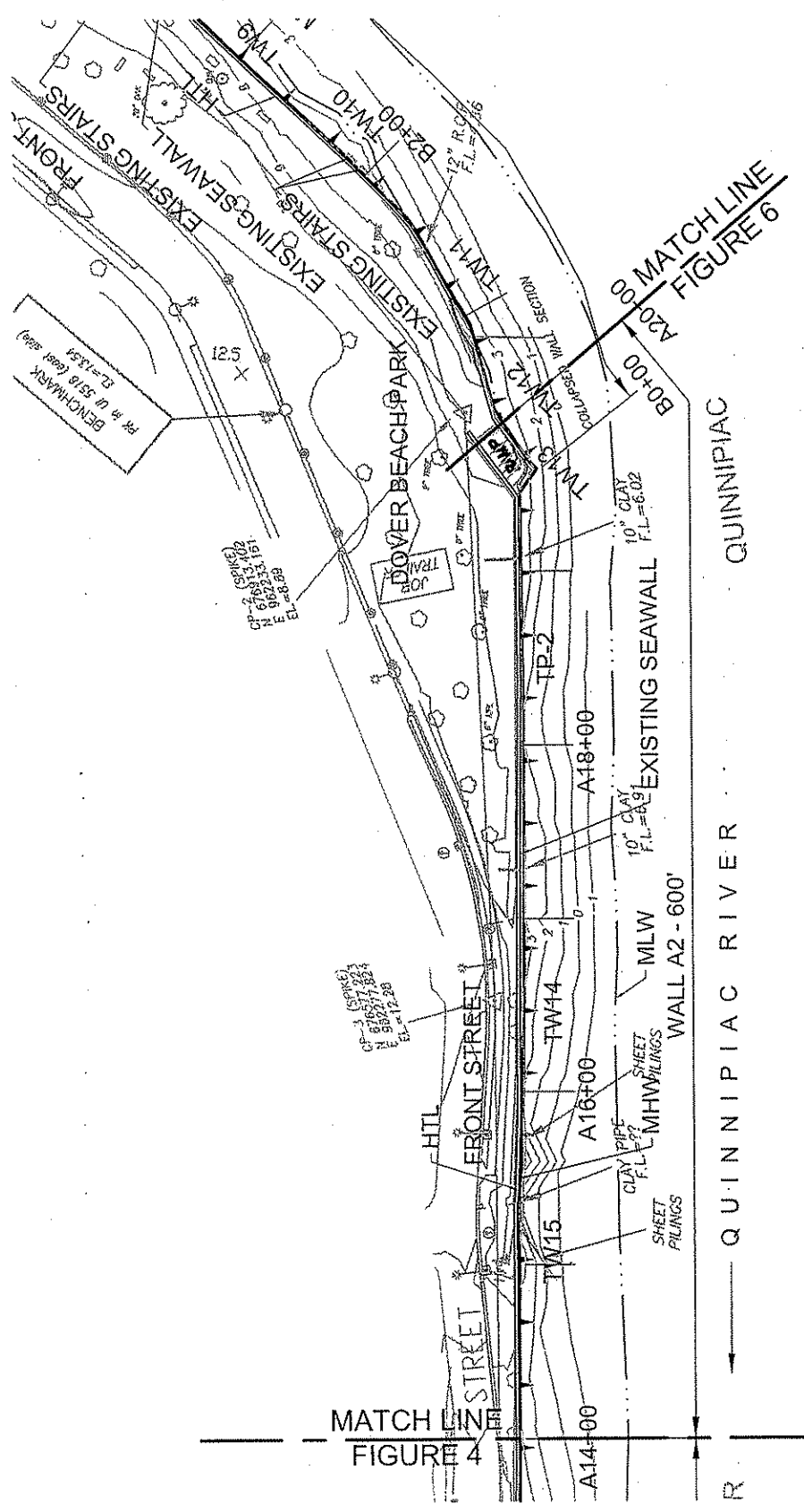
- HTL (EL +5.5) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MHW (EL +3.8) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MLW (EL -2.5)
- TIDAL WETLANDS AS SURVEYED AUGUST 2006 (TW = TIDAL WETLANDS FLAG)



**PARTIAL PLAN - WALL A1
EXISTING**

DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES
DATE: DECEMBER 2008

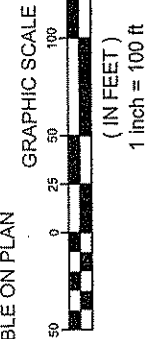


NOTES

- ALL ELEVATIONS ON 1929 NGVD.

LEGEND

- HTL (EL +5.5) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MHW (EL +3.8) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MLW (EL -2.5)
- TIDAL WETLANDS AS SURVEYED AUGUST 2006 (TW = TIDAL WETLANDS FLAG)



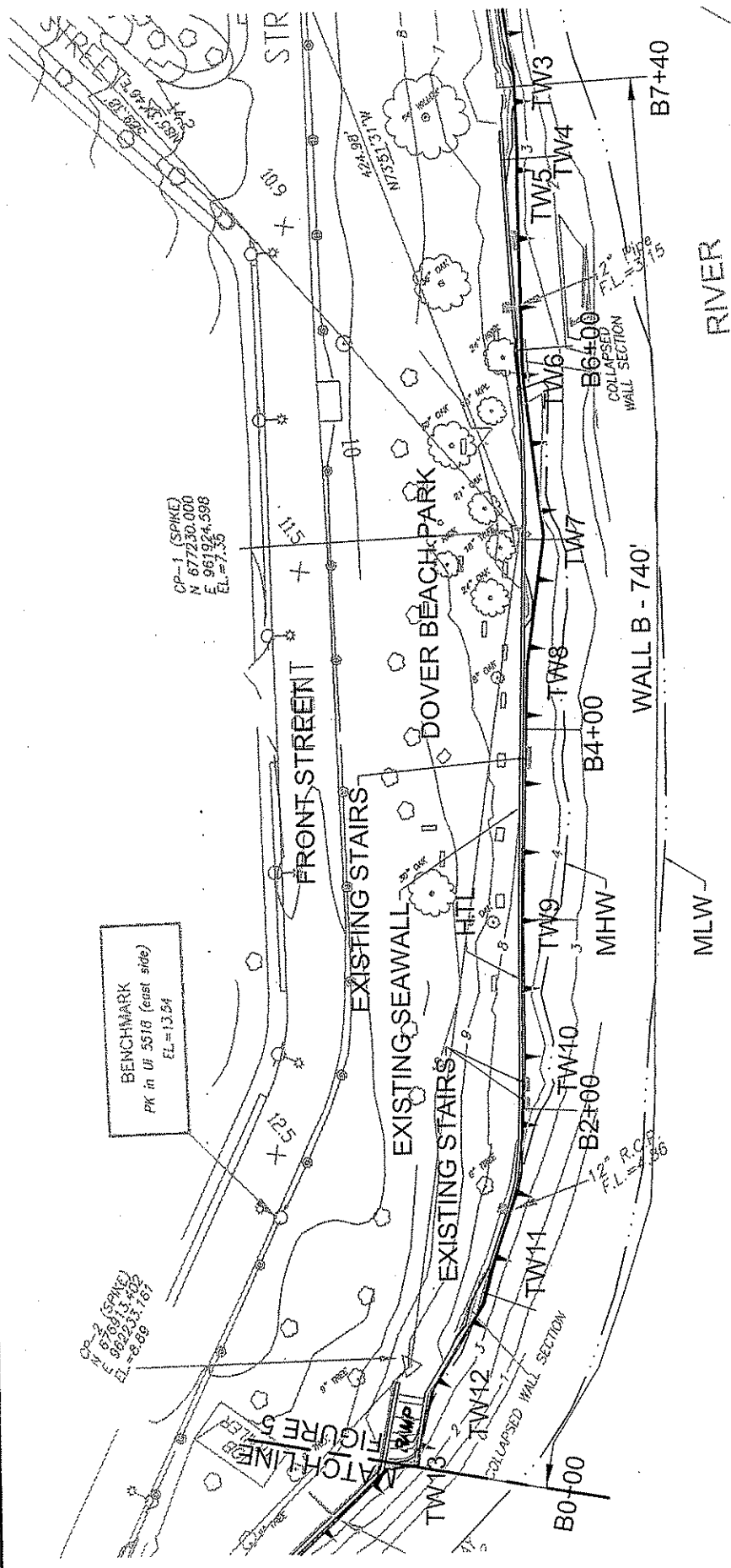
PARTIAL PLAN - WALL A2 EXISTING

DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 5

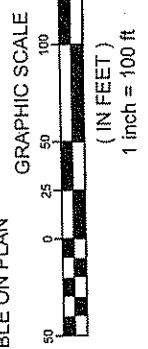


NOTES

1. ALL ELEVATIONS ON 1928 NGVD.

LEGEND

- HTL (EL +5.5) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MHW (EL +3.8) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MLW (EL -2.5)
- TIDAL WETLANDS AS SURVEYED AUGUST 2006 (TW = TIDAL WETLANDS FLAG)



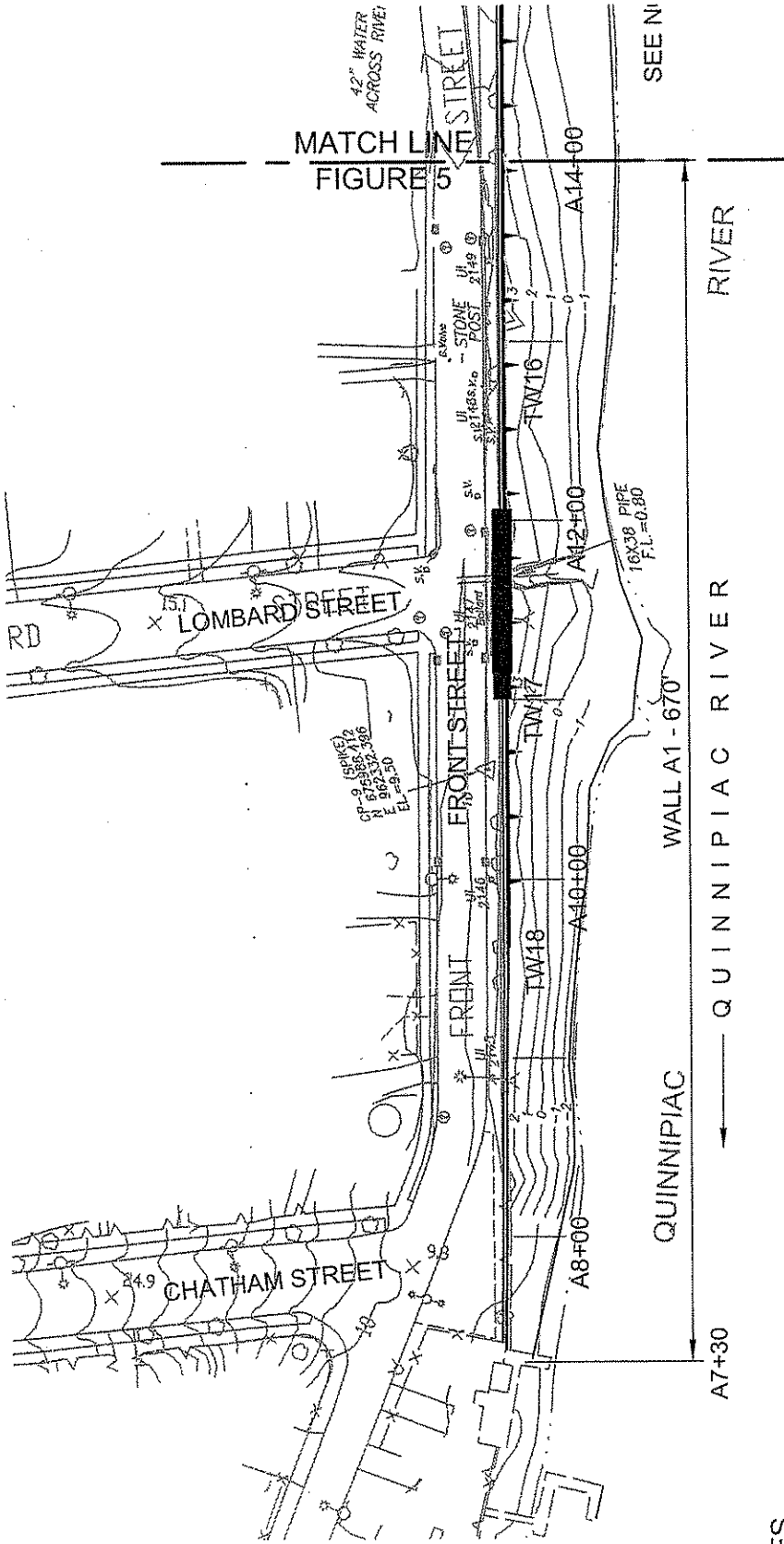
PARTIAL PLAN - WALL B EXISTING

DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 6



NOTES

1. ALL ELEVATIONS ON 1929 NGVD.
2. EXISTING DEBRIS AND REMNANTS OF EXISTING WALL AT BASE OF WALL TO BE REMOVED PRIOR TO BEGINNING RECONSTRUCTION WORK.

LEGEND

- EXISTING WALL SECTION TO BE REPLACED
- HTL (EL +5.5) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MHW (EL +3.8) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MLW (EL -2.5)
- TIDAL WETLANDS AS SURVEYED AUGUST 2006 (TW = TIDAL WETLANDS FLAG)



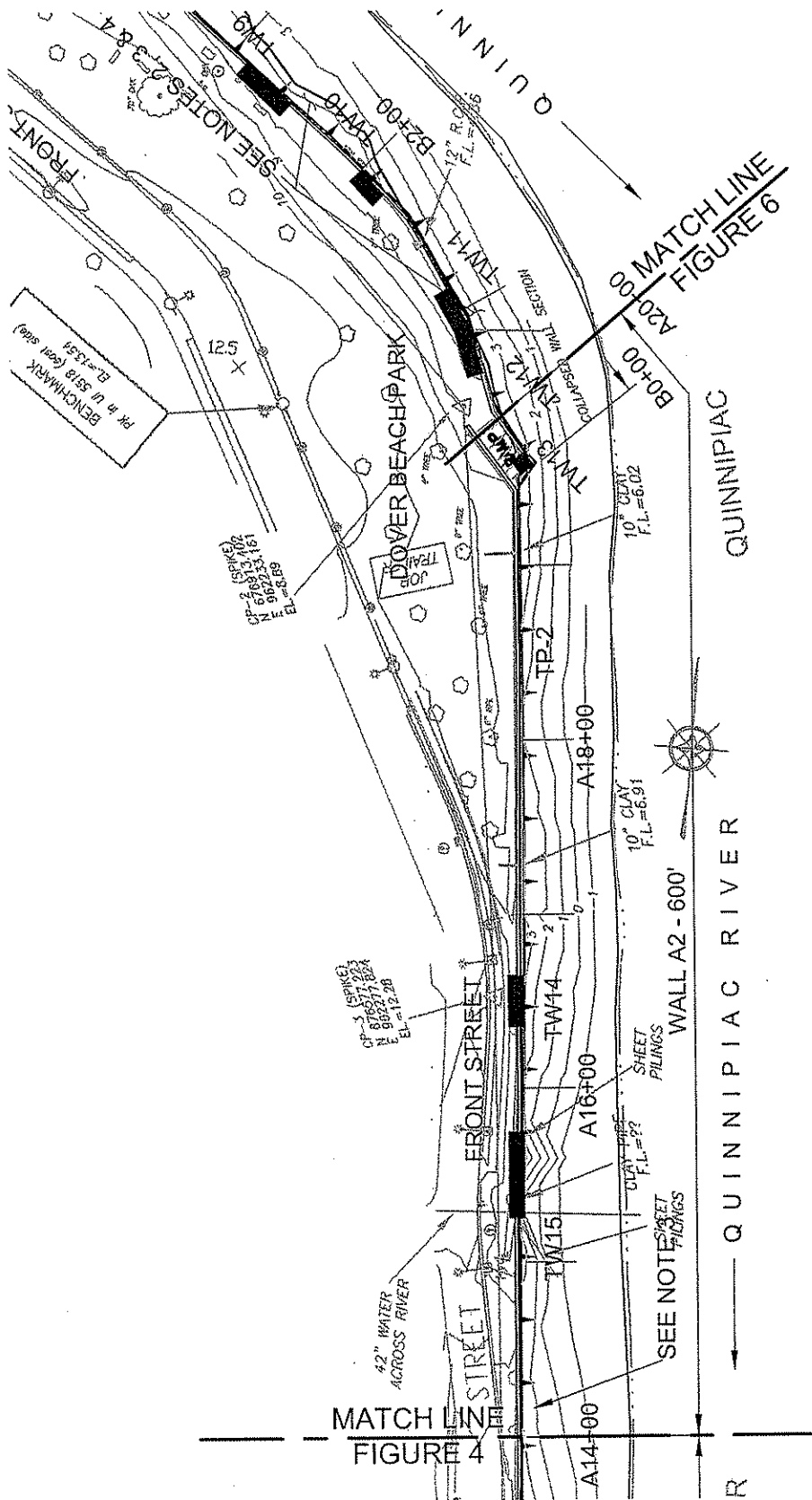
PARTIAL PLAN - WALL A1

DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 7



NOTES

1. ALL ELEVATIONS ON 1929 NGVD.
2. EXISTING DEBRIS AND REMNANTS OF EXISTING WALL AT BASE OF WALL TO BE REMOVED PRIOR TO BEGINNING RECONSTRUCTION WORK.
3. CUT OFF EXISTING PILING AND SHEET PILING BULKHEAD BETWEEN STA. A14+90 TO STA. A15+80 TO 1' BELOW EXISTING GRADE

LEGEND

- EXISTING WALL SECTION TO BE REPLACED
- HTL (EL +5.5) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MHW (EL +3.8) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MLW (EL -2.5)
- TIDAL WETLANDS AS SURVEYED AUGUST 2006 (TW = TIDAL WETLANDS FLAG)



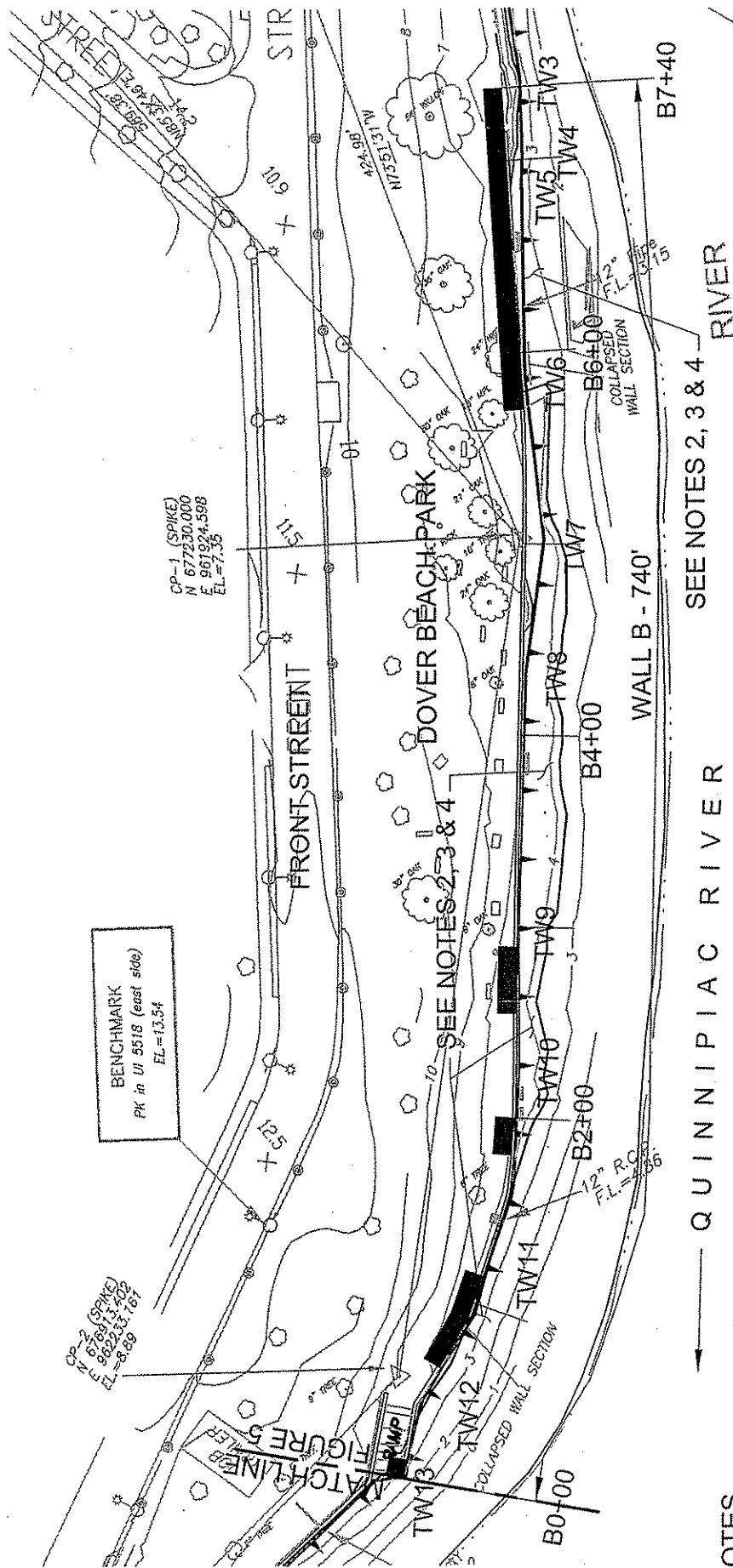
PARTIAL PLAN - WALL A2

DOVER BEACH PARK SEAWALL NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 8



NOTES

1. ALL ELEVATIONS ON 1929 NGVD.
2. EXISTING DEBRIS AND REMNANTS OF EXISTING WALL AT BASE OF WALL TO BE REMOVED PRIOR TO BEGINNING RECONSTRUCTION WORK.
3. EXISTING UPLAND SOIL DEPOSITED WATERWARD OF THE WALL SHALL BE REMOVED AS DIRECTED BY A SOIL SCIENTIST.
4. ADJACENT TO THE WALL EXTENDING WATERWARD APPROXIMATELY 10 FEET, TIDAL WETLAND VEGETATION (PLUGS OF SPARTINA ALTERNIFLORA) SHALL BE PLANTED AS DIRECTED BY THE ENGINEER.

LEGEND

- EXISTING WALL SECTION TO BE REPLACED
- HTL (EL +6.5) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MHW (EL +3.8) - LOCATED AT FACE OF WALL IF NOT VISIBLE ON PLAN
- MLW (EL -2.5)
- TIDAL WETLANDS AS SURVEYED AUGUST 2006
- (TW = TIDAL WETLANDS FLAG)



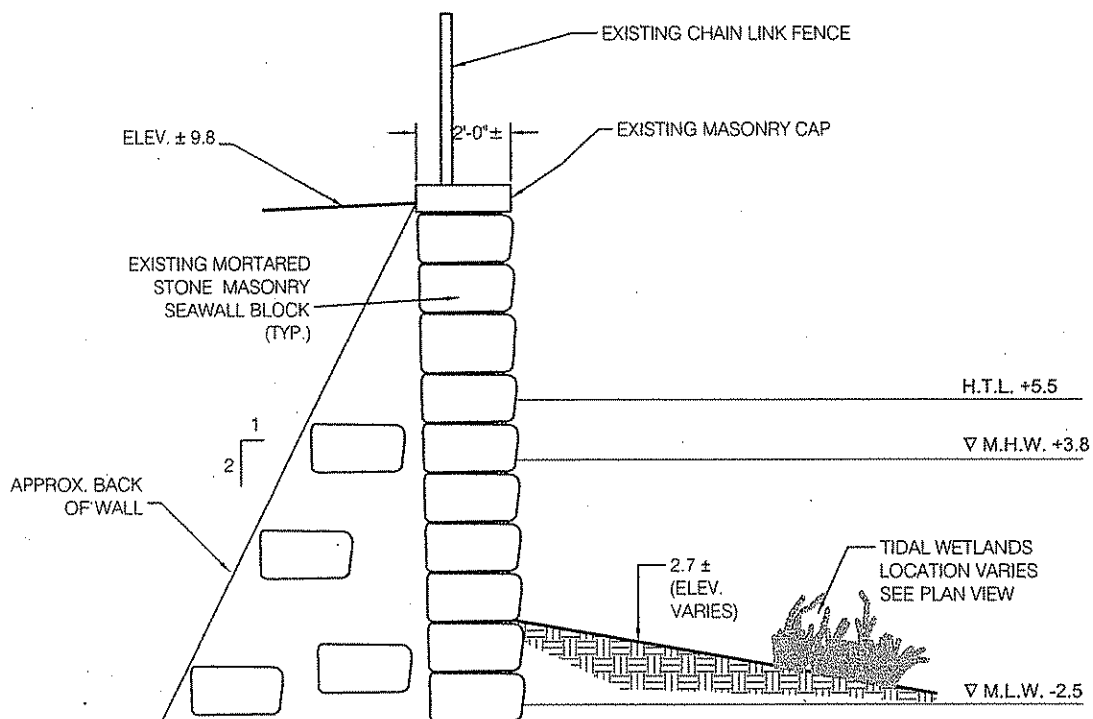
PARTIAL PLAN - WALL B

DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 9



TYPICAL SEAWALL SECTION
(STA. A 7+30 TO A 20+00)

NOTE: ALL ELEVATIONS ON 1929 NGVD.

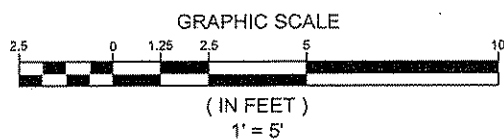
TYPICAL WALL A SECTION EXISTING

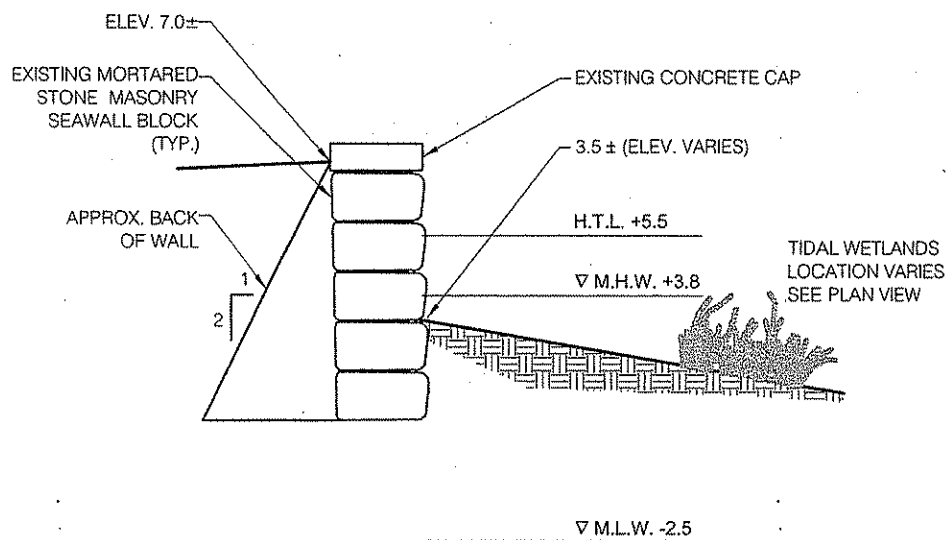
DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 10





TYPICAL SEAWALL SECTION
(STA. B 0+00 TO B 7+40)

NOTE: ALL ELEVATIONS ON 1929 NGVD.

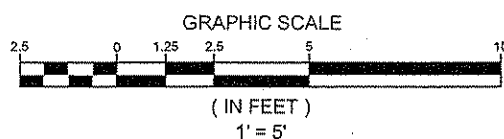
TYPICAL WALL B SECTION EXISTING

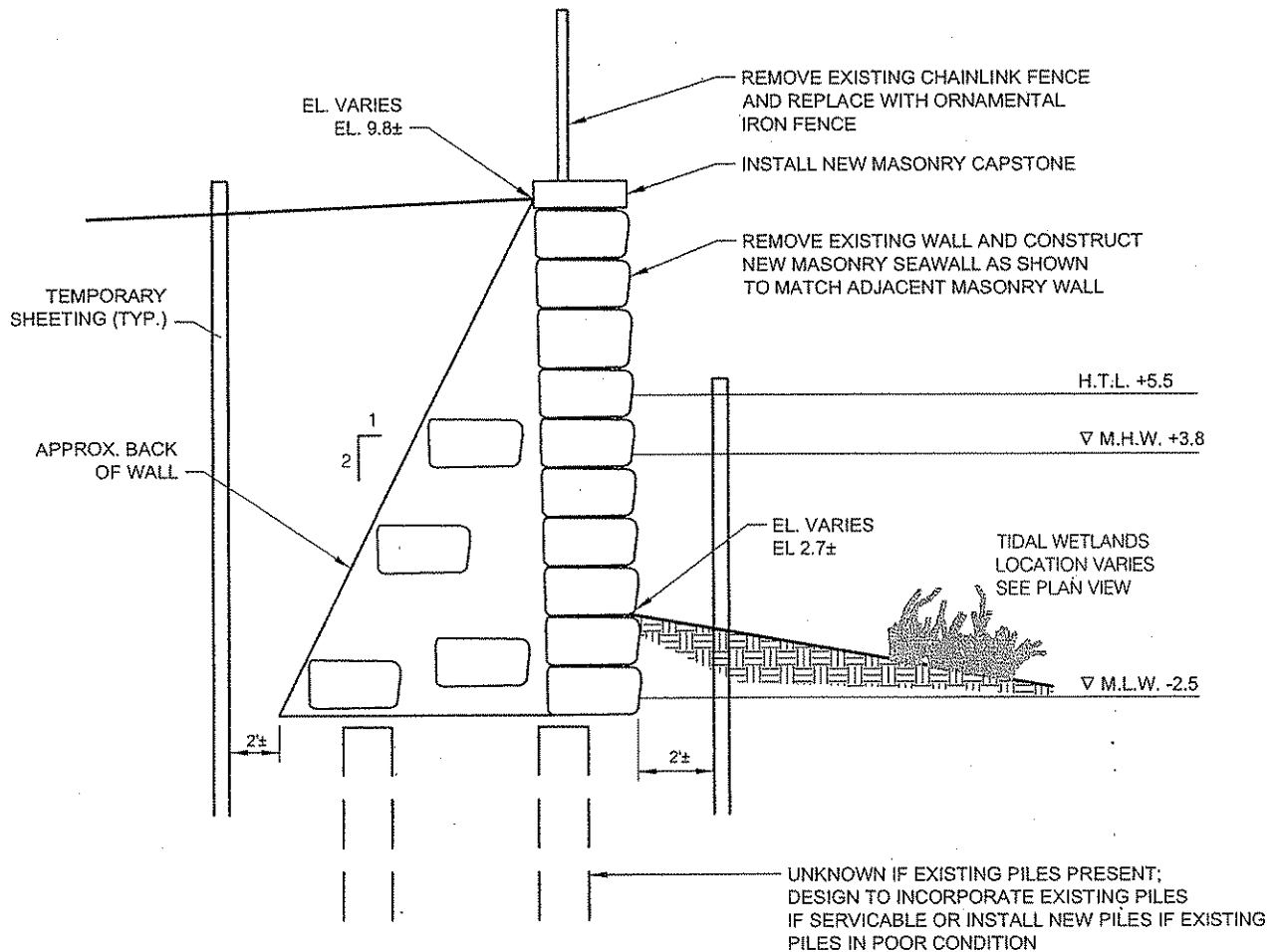
DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 11





TYPICAL SEAWALL REPLACEMENT DETAIL

(STA. A 11+00 TO A 12+05

STA. A 15+25 TO A 15+75

STA. A 16+35 TO A 16+65)

NOTE: ALL ELEVATIONS ON 1929 NGVD.

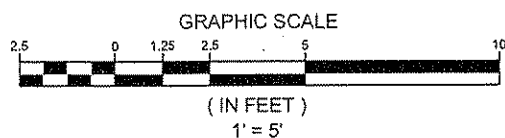
TYPICAL WALL A SECTION PROPOSED

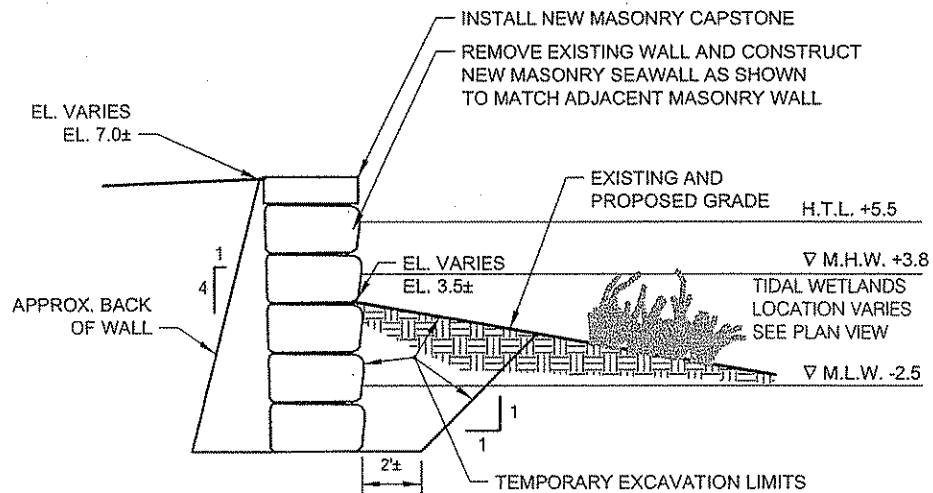
DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 12





TYPICAL SEAWALL REPLACEMENT DETAIL

(STA. B 0+00 TO B 0+10
STA. B 0+60 TO B 1+15
STA. B 1+80 TO B 2+00
STA. B 2+55 TO B 2+90
STA. B 5+70 TO B 7+40)

NOTE: ALL ELEVATIONS ON 1929 NGVD.

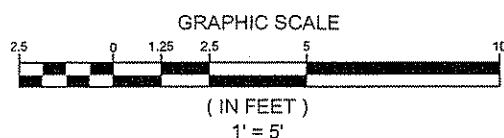
TYPICAL WALL B SECTION PROPOSED

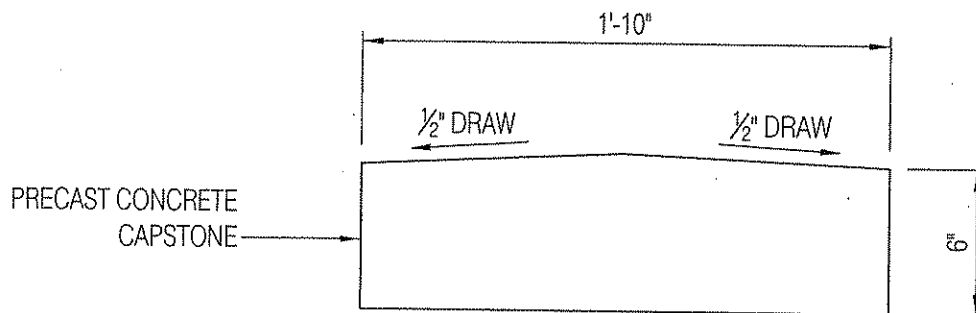
DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

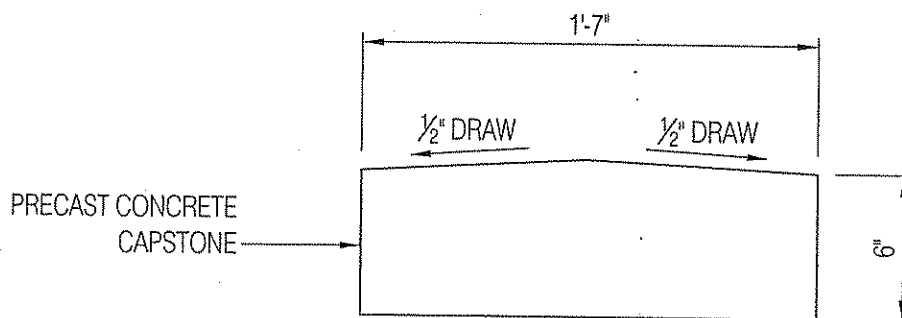
DATE: DECEMBER 2008

FIGURE 13





WALL A CAPSTONE



WALL B CAPSTONE

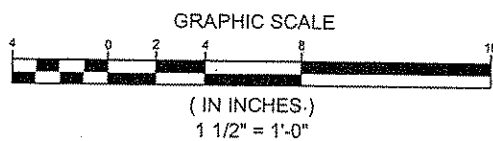
TYPICAL WALL CAPSTONES

DOVER BEACH PARK SEAWALL
NEW HAVEN, CT

APPLICATION BY CITY OF NEW HAVEN
DEPARTMENT OF PARKS, RECREATION & TREES

DATE: DECEMBER 2008

FIGURE 14



OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

TO: Permit Section
Department of Environmental Protection
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106-5127

PERMITTEE: City of New Haven
720 Edgewood Avenue
New Haven, CT 06515

Permit No: 200700973-TS, City of New Haven

CONTRACTOR 1: _____

Address: _____

Telephone #: _____

CONTRACTOR 2: _____

Address: _____

Telephone #: _____

CONTRACTOR 3: _____

Address: _____

Telephone #: _____

EXPECTED DATE OF COMMENCEMENT OF WORK: _____

EXPECTED DATE OF COMPLETION OF WORK: _____

PERMITTEE: _____
(signature) (date)